

111TH CONGRESS
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H. R. 2074

To provide effective employment, training, and career and technical education programs and to address barriers that result from family responsibilities, and to encourage and support individuals to enter nontraditional occupational fields.

IN THE HOUSE OF REPRESENTATIVES

APRIL 23, 2009

Ms. DELAURO (for herself, Ms. LINDA T. SÁNCHEZ of California, Mr. POLIS of Colorado, Ms. KILROY, Ms. CLARKE, Mr. RANGEL, Mr. McDERMOTT, Ms. SCHAKOWSKY, Mr. RYAN of Ohio, Mr. SERRANO, Mr. HARE, Mr. LEWIS of Georgia, Mr. FATTAH, Mr. MICHAUD, Ms. ZOE LOFGREN of California, Ms. NORTON, Mr. FARR, Mr. CONYERS, Ms. BORDALLO, Mr. HINOJOSA, Ms. JACKSON-LEE of Texas, Mrs. MALONEY, Mr. KENNEDY, Mrs. LOWEY, Ms. BALDWIN, and Mr. HASTINGS of Florida) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To provide effective employment, training, and career and technical education programs and to address barriers that result from family responsibilities, and to encourage and support individuals to enter nontraditional occupational fields.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Pathways Advancing
3 Career Training Act”.

4 **SEC. 2. PURPOSE AND FINDINGS.**

5 (a) **PURPOSE.**—The purpose of this Act is—

6 (1) to create workforce pathways for individuals
7 who face barriers during employment transitions and
8 help to meet the employment needs of high-skilled,
9 high-wage industries, including those facing signifi-
10 cant skilled labor shortages;

11 (2) to provide assistance to States for effective
12 employment and training programs to address bar-
13 riers to employment that result from current or
14 prior family responsibilities, including time out of
15 the workforce to care for a child or family members;
16 and

17 (3) to provide assistance to States for effective
18 employment and training programs to encourage and
19 support individuals to enter occupational fields that
20 are nontraditional for their gender.

21 (b) **FINDINGS.**—Congress finds the following:

22 (1) A high quality, productive, and diverse
23 workforce is necessary to compete in the global econ-
24 omy.

25 (2) Nearly 14,000,000 individuals in the United
26 States are the sole breadwinners and caretakers for

1 their families and nearly a third of them (31 per-
2 cent) have family incomes below the poverty level.

3 (3) More than 7,000,000 individuals in the
4 United States face barriers to entering or re-enter-
5 ing the workforce due to extended periods of time
6 spent caring for family members, and nearly half of
7 them (42 percent) have family incomes below the
8 poverty level.

9 (4) Employment in high-skill, high-wage, non-
10 traditional careers offers wages and advancement
11 opportunities to help families achieve economic self-
12 sufficiency.

13 (5) Job training and career and technical edu-
14 cation programs continue to be highly sex-seg-
15 regated, resulting in a dearth of female students fill-
16 ing the pipeline for jobs in the growing high-skill,
17 high-wage labor market, especially in the areas of
18 technology and the skilled trades.

19 (6) The employment and training needs of indi-
20 viduals who have taken time out of the workforce to
21 care for children or family members, and individuals
22 pursuing nontraditional occupations are not suffi-
23 ciently met through existing systems.

1 (7) Individuals who face barriers during em-
2 ployment transitions represent an untapped work-
3 force pool to address growing skilled labor shortages.

4 **SEC. 3. DEFINITIONS.**

5 Except as otherwise specified in this Act, as used in
6 this Act the following definition apply:

7 (1) AREA CAREER AND TECHNICAL EDUCATION
8 SCHOOL.—The term “area career and technical edu-
9 cation school” has the same meaning given such
10 term in section 3(a)(22) of the Carl D. Perkins Ca-
11 reer and Technical Education Improvement Act of
12 2006 (20 U.S.C. 2302(a)(22)).

13 (2) COMMUNITY-BASED ORGANIZATION.—The
14 term “community-based organization” means a pub-
15 lic or private nonprofit organization of demonstrated
16 effectiveness that—

17 (A) is representative of a community or
18 significant segments of a community; and

19 (B) provides educational, preparatory,
20 training, or related services to individuals in the
21 community.

22 (3) DISPLACED HOMEMAKER.—The term “dis-
23 placed homemaker” means an individual who—

1 (A)(i) has worked primarily without remuneration to care for a home or family and for
2 that reason has diminished marketable skills; or

3 (ii) has been dependent on the income of
4 another household member but is no longer
5 supported by that income; or

6 (iii) is a parent whose youngest dependent
7 child will become ineligible to receive assistance
8 under part A of title IV of the Social Security
9 Act (42 U.S.C. 601 et seq.) not later than two
10 years after the date on which the parent applies
11 for assistance under the title; or

12 (iv) is a victim of domestic violence as defined by section 40002(a)(6) of the Violence
13 Against Women Act of 1994 (42 U.S.C. 13701
14 note); and

15 (B) is unemployed or underemployed and
16 is experiencing difficulty in obtaining or upgrading employment.

17 (4) ELIGIBLE STATE AGENCY.—The term “eligible State agency” means the State agency responsible for the administration of workforce investment activities authorized under the Workforce Investment Act of 1998.
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1 (5) ELIGIBLE RECIPIENT.—The term “eligible
2 recipient” means a community-based organization, a
3 one-stop operator, a post-secondary educational in-
4 stitution, a local educational agency providing edu-
5 cation to students who have completed or left with-
6 out completing secondary school, an area career and
7 technical education school providing education to
8 students who have completed or left without com-
9 pleting secondary school, a postsecondary vocational
10 institution or other entity that has demonstrated an
11 ability to meet the employment and training needs
12 of displaced homemakers, single parents and individ-
13 uals preparing for nontraditional training and em-
14 ployment.

15 (6) LOCAL EDUCATIONAL AGENCY.—The term
16 “local educational agency” has the same meaning
17 given such term under section 14101 of the Elemen-
18 tary and Secondary Education Act of 1965 (20
19 U.S.C. 7801).

20 (7) NONTRADITIONAL EMPLOYMENT.—The
21 term “nontraditional employment,” means, with re-
22 spect to an individual, an occupation or field of work
23 for which members of such individual’s gender com-
24 prise less than 25 percent of the individuals em-
25 ployed in such occupation or field of work.

1 (8) ONE-STOP OPERATOR.—The term “one-stop
2 operator” means one or more entities designated or
3 certified under section 121(d) of the Workforce In-
4 vestment Act of 1998 (29 U.S.C. 2841(d)).

5 (9) PREPARATORY SERVICES.—The term “pre-
6 paratory services” means services, programs, or ac-
7 tivities designed to assist individuals in selecting or
8 participating in an appropriate education or training
9 program or in securing, retaining, or improving em-
10 ployment, such as—

11 (A) services, programs, or activities related
12 to outreach in the recruitment of potential par-
13 ticipants;

14 (B) career and personal counseling, includ-
15 ing group counseling;

16 (C) life skills development, including finan-
17 cial literacy;

18 (D) vocational and skill assessment and
19 testing;

20 (E) career planning;

21 (F) use of a self-sufficiency calculator to
22 identify income needs and career paths that
23 lead to self-sufficiency;

24 (G) job search and placement activities;

1 (H) pre-vocational training, including
2 learning skills, remediation, communication
3 skills, interviewing skills and resume writing,
4 punctuality, professional conduct, pre-appren-
5 ticeship assistance, job readiness, and other
6 services to prepare individuals to succeed in em-
7 ployment or training; and

8 (I) other appropriate services, programs, or
9 activities.

10 (10) POSTSECONDARY EDUCATIONAL INSTITU-
11 TION.—The term “postsecondary educational institu-
12 tion” has the same meaning given such term in sec-
13 tion 3(a)(22) of the Carl D. Perkins Career and
14 Technical Education Improvement Act of 2006 (20
15 U.S.C. 2302(a)(22)).

16 (11) POSTSECONDARY VOCATIONAL INSTITU-
17 TION.—The term “postsecondary vocation institu-
18 tion” has the same meaning given such term in sec-
19 tion 102(c) of the Higher Education Act of 1965
20 (20 U.S.C. 1002(c)).

21 (12) SECRETARY.—The term “Secretary”
22 means the Secretary of Labor.

23 (13) SELF-SUFFICIENCY STANDARD.—The term
24 “self-sufficiency standard” means a measure of how
25 much income families need to cover their basic costs

1 without subsidies. It uses a consistent methodology
2 that calculates the costs of living and working (in-
3 cluding taxes) based upon sub-State geographic loca-
4 tion and family size and composition.

5 (14) SINGLE PARENT.—The term “single par-
6 ent” means an individual who is unmarried, or has
7 been abandoned by their spouse, and—

8 (A) has a minor child or children for which
9 the parent has either full or joint custody; or

10 (B) is pregnant.

11 (15) SUPPORTIVE SERVICES.—The term “sup-
12 portive services” means services such as transpor-
13 tation, child care, dependent care, home health care
14 for family members, and needs-based payments, that
15 are necessary to enable an individual to participate
16 in employment and training activities and retain em-
17 ployment.

18 (16) TRAINING.—The term “training” means
19 training or education related to the preparation of
20 individuals for employment, including training activi-
21 ties authorized under section 134(d)(4)(D) of the
22 Workforce Investment Act of 1998 (29 U.S.C.
23 2864(d)(4)(D)) and career and technical education,
24 as defined by section 3(a)(5) of the Carl D. Perkins

1 Career and Technical Education Improvement Act of
2 2006 (20 U.S.C. 2302(a)(5)).

3 **SEC. 4. PROGRAM AUTHORIZED.**

4 The Secretary of Labor is authorized to provide
5 grants to States to enable such States to develop or en-
6 hance programs described in sections 9 and 10 of this Act.

7 **SEC. 5. ALLOCATION.**

8 (a) IN GENERAL.—After reserving the amount des-
9 ignated under section 12(c)(2) of this Act, the remaining
10 funds appropriated shall be divided into 3 equal groups
11 on the basis of—

12 (1) the relative number of unemployed individ-
13 uals in areas of substantial unemployment in each
14 State, compared to the total number of unemployed
15 individuals in areas of substantial unemployment in
16 all States;

17 (2) the relative excess number of unemployed
18 individuals in each State, compared to the total ex-
19 cess number of unemployed individuals in all States;
20 and

21 (3) the relative number of disadvantaged adults
22 in each State, compared to the total number of dis-
23 advantaged adults in all States.

24 (b) DEFINITIONS.—For purposes of this section, the
25 terms “substantial unemployment”, “excess number of

1 unemployed individuals”, and “disadvantaged adult” have
2 the meanings given such terms in section 132(b)(1)(B)(v)
3 of the Workforce Investment Act of 1998 (29 U.S.C.
4 2862(b)(1)(B)(v)).

5 (c) SUPPLEMENT NOT SUPPLANT.—Funds provided
6 under this Act shall be used to supplement not supplant
7 other Federal, State, and local public funds expended to
8 provide services to displaced homemakers, single parents,
9 and individuals pursuing nontraditional employment.

10 **SEC. 6. STATE PLAN.**

11 (a) SUBMISSION OF STATE PLAN.—For a State to
12 be eligible to receive an allocation under section 5 the Gov-
13 ernor of the State shall submit to the Secretary a plan
14 for a 5-year period, together with such annual revisions
15 as the eligible State agency determines to be necessary.

16 (b) REVISIONS AND REVIEW.—Each eligible State
17 agency shall—

18 (1) submit such annual revisions of the plan to
19 the Secretary as the eligible State agency determines
20 to be necessary; and

21 (2) after the second year of the 5-year State
22 plan, conduct a review of activities assisted under
23 this Act and submit any revisions of the State plan
24 that the eligible State agency determines necessary
25 to the Secretary.

1 (c) PLAN DEVELOPMENT.—The eligible State agency
2 shall develop the State plan in consultation with experts
3 on serving displaced homemakers and single parents, ex-
4 perts on nontraditional employment, participants in em-
5 ployment and training programs for displaced home-
6 makers and single parents, participants in employment
7 and training programs for nontraditional employment, and
8 any other individual the State considers necessary.

9 (d) PLAN CONTENTS.—The State plan shall include
10 information that—

11 (1) describes the employment and training ac-
12 tivities to be provided under sections 9 and 10 of
13 this Act;

14 (2) describes the process for soliciting competi-
15 tive applications and the criteria that will be used by
16 the eligible State agency in awarding eligible recipi-
17 ents funds under this Act;

18 (3) describes how the eligible State agency
19 will—

20 (A) annually evaluate the effectiveness of
21 such programs; and

22 (B) coordinate such programs to ensure
23 nonduplication with other existing Federal pro-
24 grams;

1 (4) provides assurances that the eligible State
2 agency or agencies will comply with the requirements
3 of this Act and the provisions of the State plan, in-
4 cluding the provision of a financial audit of funds re-
5 ceived under this Act which may be included as part
6 of an audit of other Federal or State programs;

7 (5) provides assurances that none of the funds
8 expended under this Act will be used to acquire
9 equipment (including computer software) in any in-
10 stance in which such acquisition results in a direct
11 financial benefit to any organization representing
12 the interests of the purchasing entity, the employees
13 of the purchasing entity, or any affiliate of such an
14 organization;

15 (6) describes how the eligible State agency will
16 measure and report the progress of the students who
17 are served pursuant to this Act, including progress
18 on the indicators of performance described in section
19 7 of this Act; and

20 (7) describes the methods proposed for the joint
21 planning and coordination of programs carried out
22 under this Act with other Federal programs.

23 (e) PLAN OPTION.—The eligible State agency may
24 fulfill the requirements of subsection (d) by submitting the
25 plan required under this section as a part of the plan sub-

mitted under section 112 of the Workforce Investment Act of 1998 (29 U.S.C. 2822).

(f) PLAN APPROVAL.—The Secretary shall consider a plan or revision of a State plan approved, unless the Secretary determines, within 120 days of submission, that the State plan, or revision, respectively, does not meet the requirements of this section.

SEC. 7. ACCOUNTABILITY.

(a) PURPOSE.—The purpose of this section is to establish activities to assess the effectiveness of the State in creating workforce pathways for individuals with barriers to employment including single parents, displaced homemakers and individuals pursuing nontraditional training and employment, and to maximize the return on investment of Federal funds.

(b) CORE INDICATORS OF PERFORMANCE FOR DISPLACED HOMEMAKER AND SINGLE PARENT PROGRAMS.—Each eligible State agency shall identify in the State plan the process used to collect data on the core indicators of performance from eligible recipients that include, at a minimum, measures of each of the following:

(1) The core indicators of performance required by section 136(b)(2)(A)(i) of the Workforce Investment Act of 1998 (29 U.S.C. 2871(b)(2)(A)(i)) adjusted based upon—

1 (A) specific economic, geographic, and de-
2 mographic factors in the State and in local
3 workforce investment areas within the State;

4 (B) the characteristics of the population to
5 be served;

6 (C) the demonstrated difficulties in serving
7 the population; and

8 (D) the type of services to be provided.

9 (2) Participation in and completion of pre-
10 paratory services.

11 (c) CORE INDICATORS OF PERFORMANCE FOR NON-
12 TRADITIONAL EMPLOYMENT PROGRAMS.—Each eligible
13 State agency shall identify in the State plan the process
14 used to collect data on the core indicators of performance
15 from eligible recipients that include, at a minimum, meas-
16 ures of each of the following—

17 (1) The core indicators of performance required
18 by section 136(b)(2)(A)(i) of the Workforce Invest-
19 ment Act of 1998 (29 U.S.C. 2871(b)(2)(A)(i)) ad-
20 justed based upon:

21 (A) specific economic, geographic, and de-
22 mographic factors in the State and in local
23 workforce investment areas within the State;

24 (B) the characteristics of the population to
25 be served;

1 (C) the demonstrated difficulties in serving
2 the population; and

3 (D) the type of services to be provided.

4 (2) Participation in and completion of pre-
5 paratory services.

6 (3) Participation in and completion of employ-
7 ment and training programs that lead to nontradi-
8 tional training and employment.

9 (4) Placement in and retention of nontradi-
10 tional employment.

11 (d) ADDITIONAL INDICATORS.—An eligible agency,
12 with input from eligible recipients, may identify in the
13 State plan additional indicators of performance for em-
14 ployment and training activities authorized under this Act,
15 such as attainment of self-sufficiency.

16 (e) ANNUAL REPORT BY STATE AGENCY.—Each eli-
17 gible State agency shall transmit to the Secretary an an-
18 nual report of data compiled in accordance with section
19 7(b) and (c) disaggregated by gender, race, age, disability,
20 national origin, ethnicity, English proficiency status and
21 status as a displaced homemaker, single parent, or indi-
22 vidual training for nontraditional employment. The eligible
23 State agency may submit the report required under this
24 section as a part of the report submitted under section

1 136(d)(1) of the Workforce Investment Act of 1998 (29
2 U.S.C. 2871(d)(1)).

3 (f) ANNUAL REPORT OF THE SECRETARY.—The Sec-
4 retary shall transmit to Congress annually a national re-
5 port that describes the extent to which the purposes of
6 the Act are being achieved. The Secretary’s report shall
7 include individual State annual reports and a compilation
8 of those State reports with national data disaggregated
9 by gender, race, age, disability, national origin, ethnicity,
10 English proficiency status, and status as a displaced
11 homemaker, single parent, or individual training for non-
12 traditional employment.

13 **SEC. 8. EVALUATION OF PROGRAMS FOR SINGLE PARENTS**
14 **AND DISPLACED HOMEMAKERS AND PRO-**
15 **GRAMS FOR NONTRADITIONAL EMPLOY-**
16 **MENT.**

17 (a) MULTI-SITE EVALUATION.—The Secretary shall,
18 through the award of competitive grants, contracts, or co-
19 operative agreements with an independent institution of
20 higher education, public or private nonprofit organization,
21 or agency, conduct at least 1 multi-site evaluation under
22 this section by the end of fiscal year 2012. Such an evalua-
23 tion shall address—

1 (1) the general effectiveness of programs and
2 activities described in sections 9 and 10 of this Act
3 including:

4 (A) the extent to which such programs im-
5 proved the self-sufficiency and employment out-
6 comes of participants in comparison to com-
7 parably-suited individuals who did not partici-
8 pate in such programs;

9 (B) the extent to which programs de-
10 scribed in section 9 of this Act improved the
11 self-sufficiency and employment outcomes of
12 participants in comparison to single parents
13 and displaced homemakers who participated in
14 non-specialized employment and training activi-
15 ties as authorized by section 134 of the Work-
16 force Investment Act of 1998 (29 U.S.C. 2864),
17 but did not participate in programs described in
18 section 9;

19 (C) the extent to which programs described
20 in section 10 of this Act improved the self-suffi-
21 ciency and employment outcomes of partici-
22 pants in comparison to similarly situated indi-
23 viduals who participated in adult and dislocated
24 worker employment and training activities as
25 authorized by section 134 of the Workforce In-

1 vestment Act of 1998 (29 U.S.C. 2864), but
2 did not participate in programs described in
3 section 10 of this Act;

4 (D) the effectiveness of the performance
5 measures described in section 7 of this Act re-
6 lating to programs and activities described in
7 sections 9 and 10 of this Act;

8 (E) the effectiveness of the structure and
9 mechanisms for delivery of services through
10 such programs and activities;

11 (F) the extent to which such programs and
12 activities meet the needs of various demo-
13 graphic groups; and

14 (G) such other factors as may be appro-
15 priate.

16 (b) METHODOLOGY.—Evaluations conducted under
17 this section shall utilize appropriate methodology and re-
18 search designs, including the use of control groups chosen
19 by scientific random assignment.

20 (c) REPORT.—The entity carrying out an evaluation
21 described in subsection (a) shall prepare a report of key
22 findings and submit copies to the Secretary, the Com-
23 mittee on Education and Labor of the House of Rep-
24 resentatives, the Committee on Health, Education, Labor
25 and Pensions of the Senate, and the Library of Congress.

1 The Secretary shall make the report available to the pub-
2 lic.

3 **SEC. 9. PROGRAMS FOR SINGLE PARENTS AND DISPLACED**
4 **HOMEMAKERS.**

5 Each State may use funds allocated under section 5
6 of this Act to implement or carry out programs designed
7 to provide single parents and displaced homemakers the
8 following:

9 (1) Preparatory services.

10 (2) Subsidies, reimbursement, tuition assist-
11 ance, or payment for preparatory services, and nec-
12 essary educational materials (including books and
13 supplies).

14 (3) The provision of information to inform indi-
15 viduals of career and technical education, training
16 programs, and related preparatory and supportive
17 services.

18 (4) Case management and supportive services.

19 (5) Training and other activities designed to
20 fulfill the purpose of this Act.

21 **SEC. 10. PROGRAMS FOR INDIVIDUALS ENTERING INTO**
22 **NONTRADITIONAL EMPLOYMENT.**

23 Each State may use funds allocated under section 5
24 of this Act to implement or carry out programs designed

1 to assist individuals pursuing nontraditional training and
2 employment, including the following:

3 (1) All services described in section 9.

4 (2) Mentoring.

5 (3) Pre-apprenticeship assistance.

6 (4) Other activities designed to increase the
7 number of individuals pursuing nontraditional em-
8 ployment, including—

9 (A) dissemination of information to inform
10 individuals about nontraditional employment;

11 (B) ensuring a fair and respectful learning
12 environment in career and technical education
13 and training programs; and

14 (C) creating and distributing replicable
15 model programs and materials that increase
16 participation, completion, and placement rates.

17 **SEC. 11. WITHIN STATE ALLOCATION AND ADMINISTRA-**
18 **TION.**

19 (a) RESERVATION FOR STATE ACTIVITIES.—From
20 the amounts allocated under section 5—

21 (1) not more than 5 percent shall be reserved
22 for State administration;

23 (2) not less than 25 percent shall be used to
24 provide programs for single parents and displaced

1 homemakers, as described in section 8 of this Act;
2 and

3 (3) not less than 25 percent shall be used to
4 provide programs for individuals training for non-
5 traditional employment as described in section 9 of
6 this Act.

7 (b) MATCHING REQUIREMENT.—Each eligible State
8 agency receiving funds made available under section 5(a),
9 shall match, from non-Federal sources and on a dollar-
10 for-dollar basis, the funds received under section 10(a)(1).

11 **SEC. 12. ADMINISTRATION.**

12 (a) ADMINISTRATION.—Any State desiring to partici-
13 pate in a program authorized by this Act shall assign an
14 individual within the eligible state agency to assist in ful-
15 filling the purposes of this Act by—

16 (1) managing the distribution of funds pursu-
17 ant to section 6;

18 (2) monitoring the use of funds distributed to
19 recipients under such programs;

20 (3) evaluating the effectiveness of programs and
21 activities supported by such funds; and

22 (4) developing the State plan described in sec-
23 tion 6.

24 (b) COMPETITIVE AWARDS.—The Administrators as-
25 signed under subsection (c) shall—

1 (1) on a competitive basis, provide grants to eli-
2 gible recipients; and

3 (2) ensure that each grant is for a program
4 that is of sufficient size, scope, and quality to be ef-
5 fective.

6 (c) TECHNICAL ASSISTANCE.—

7 (1) IN GENERAL.—The Secretary shall award a
8 grant, a contract, or enter into a cooperative agree-
9 ment with a national organization with dem-
10 onstrated expertise in providing technical assistance
11 to employment and training programs for displaced
12 homemakers, single parents, and individuals enter-
13 ing nontraditional employment. This assistance shall
14 be available for the purposes of—

15 (A) providing online and toll-free referral
16 services to assist individuals in accessing the
17 employment and training programs established
18 under sections 9 and 10;

19 (B) developing resources for and providing
20 technical assistance to such employment and
21 training programs;

22 (C) developing state-wide networks to en-
23 hance the capacity of service delivery among
24 such employment and training programs; and

1 (D) conducting other activities to advance
2 career pathways for displaced homemakers, sin-
3 gle parents, and individuals entering nontradi-
4 tional employment.

5 (2) Not less than 1 percent or more than 10
6 percent of the amount authorized under section 13
7 of this Act shall be available for the assistance de-
8 scribed in paragraph (1).

9 **SEC. 13. AUTHORIZATION OF APPROPRIATIONS.**

10 There are authorized to be appropriated to the Sec-
11 retary to carry out this Act \$95,000,000 for each of fiscal
12 years 2010 through 2015.

○